

ADDITION OF CERTAIN LANDS TO WHITMAN NATIONAL FOREST

JANUARY 13, 1925.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. SINNOTT, from the Committee on the Public Lands, submitted the following

REPORT

[To accompany H. R. 9028]

The Committee on the Public Lands, to whom was referred H. R. 9028, to authorize the addition of certain lands to the Whitman National Forest, having considered the same, report it to the House with the recommendation that it do pass with the following amendments:

Page 2, line 4, strike out the word "entries" and insert in lieu thereof the word "claims."

Page 3, at the end of line 3, insert as a new paragraph the following:

In township 11 south, range 35½ east, section 4.

The bill has for its purpose the inclusion in the forest of any land chiefly valuable for national forest purposes within the area therein described, either through exchange under an extension thereto of the provisions of the general forest consolidation law (42 Stat. 465) where in private ownership or where public by proclamation of the President.

The necessity for the legislation is fully explained in the letters of the Secretary of Agriculture and the Secretary of the Interior, dated December 26, 1924, and January 9, 1925, respectively, to the chairman of this committee, which letters are herein set out in full for the information of the House, as follows:

DECEMBER 26, 1924.

HON. N. J. SINNOTT,
*Chairman Committee on the Public Lands,
House of Representatives.*

DEAR MR. SINNOTT: Reference is made to your request of December 9 for a report upon the bill H. R. 9026, to authorize the addition of certain lands to the Whitman National Forest.

This bill provides in substance that within certain described areas, which are indicated in the measure, the unappropriated public lands may be added to the Whitman National Forest by proclamation of the President, and also that the privately owned tracts may be offered the Government under the general land exchange act of March 20, 1922 (42 Stat. 465), for approximately equal values of either national forest land or national forest timber within the State of Oregon. Before any lands can be added, however, either by proclamation or by exchange, it must be shown that they are chiefly valuable for national forest purposes.

The gross area involved in this measure is 134,000 acres. Of this 116,840 acres are in private ownership. The balance, amounting to 17,160 acres, is unappropriated public land.

From reports in the Forest Service it is shown that this region is rough and mountainous and unfit for agricultural purposes. It is naturally adapted to growing timber, especially yellow pine. Most of it, however, is cut over. In elevation, general character of the land, and other features, these lands form a natural extension of the Whitman National Forest. If enacted this bill would permit the owners of lands within the areas described to offer their holdings in exchange under the general act of March 20, 1922, if the tracts are found to be chiefly valuable for national forest purposes. Upon acceptance of title the privately-owned lands would become parts of the Whitman National Forest. The intermingled publicly owned lands could also be added by proclamation of the President, thus blocking out the area for national forest administration.

Section 4 of township 11 south, range 35½ east, is within this area. It comprises very desirable forest-producing land and has no value for agriculture. Due to its general location and character it should be handled as part of the Whitman National Forest. It is suggested, therefore, that authority be given to include it. To accomplish this purpose the bill should be amended by inserting the following as a paragraph at the end of line 3, page 3:

"In township 11 south, range 35½ east, section 4."

Since it is apparent that the lands have no agricultural values and would serve their best use for the production of timber and the protection of stream flow, it is recommended that the bill as proposed to be amended receive favorable consideration by your committee.

Sincerely yours,

HOWARD M. GORE, *Secretary.*

DEPARTMENT OF THE INTERIOR,
Washington, January 9, 1925.

HON. N. J. SINNOTT,

*Chairman Committee on the Public Lands,
House of Representatives.*

MY DEAR MR. SINNOTT: I am in receipt of your request for report on H. R. 9028, authorizing additions to the Whitman National Forest in Oregon under certain conditions.

The bill would provide for inclusion in the forest of any land chiefly valuable for national-forest purposes within the area therein described, either through exchange under an extension thereto of the provisions of the general forest consolidation law of March 20, 1922 (42 Stat. 465), where in private ownership or where public by proclamation of the President.

The records of the General Land Office of this department show that the area involved, which partly adjoins the forest, contains 131,600 acres and that title to the greater portion thereof has passed out of the Government under final entries and selections under the public-land laws, largely under the timber and stone law, and that 7,350 acres are included in unperfected homestead entries made, for the most part, under the stock raising law. The unappropriated public lands are scattered tracts aggregating 18,785 acres, partly designated as enterable under the enlarged and stock-raising homestead laws, and 6,402 acres are lands recovered by the United States as a result of suits to set aside timber and stone patents for fraud and withdrawn as valuable timbered lands in aid of legislation or the exchange authorized by section 2 of the act of September 8, 1916 (39 Stat. 852), and 40 acres are under power-site withdrawal.

No objection is seen to the legislation proposed by the bill in its present form, as provision is made that the lands to be surrendered or added from the public domain shall be chiefly valuable for national forest purposes. It is noted that under the terms of the bill lands embraced in existing entries would be protected in event of inclusion in the forest by proclamation. Such provision is not, however, broad enough to cover settlements or other claims which may have attached to the lands under the public-land laws. I would, therefore suggest that in the event the measure should receive the favorable consideration of Congress it be amended by striking out the word "entries" in line 4 of page 2 and substituting "claims" therefor.

I would also suggest a reference of the bill to the Secretary of Agriculture, as he is primarily interested in the exchange proposed.

Very truly yours,

HUBERT WORK.